



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

D A C
J. f/w

Applicant:	HINDUS et al.	Examiner:	Erick J. Rekstad
Application No.:	09/847,201	Art Unit:	2613
Filed:	May 2, 2001	Docket No.:	INT1P920C1
Title:	VARIABLE BANDWIDTH COMMUNICATION SYSTEMS AND METHODS		

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in a prepaid envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

November 23, 2005.

Jennifer C. Gross

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

1. Petition Fee

- Small Entity
 Large Entity
 Enclosed is Check No. 1996 in the amount of \$1,500.00.
 Charge any additional fees or credit any overpayment to Deposit Account No. 50-0685, (Order No. INT1P920C1).

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of a Response to Office Action date mailed September 8, 2004.

- has been filed.
 is enclosed herewith.

B. The issue fee of \$__.

- has been paid previously on _____.
 is enclosed herewith.

11/29/2005 NNGUYEN1 00000014 09847201

01 FC:1453

1500.00 OP

Attorney Docket No. 09/847,201
Application No. INT1P920C1

Page 1 of 2

Adjustment date: 03/03/2006 CKHLDK
11/29/2005 NNGUYEN1 00000014 09847201
01 FC:1453 -1500.00 OP

Repln. Ref: 03/03/2006 CKHLDK 0008372700
DA#500685 Name/Number:09847201
FC: 9204 \$1500.00 CR

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20 (d)) of \$_____) disclaiming the required period of time is enclosed herewith.

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. The above-identified application became abandoned for failure to file a timely and proper reply to the Office Action mailed September 8, 2004.

Said action was mailed to Customer No. 25696 instead of to either (1) Lee Van Pelt, Esq., as requested in the Associate Power of Attorney & Change of Address received and entered April 4, 2002 (Attachment A - 1 pg.); or (2) Customer No. 21912 as requested in the Power of Attorney by Assignee and Revocation of Previous Powers received in OIPE on May 28, 2002 (Attachment B - 4 pgs.).

Applicant's representatives filed a change of address for their primary customer number, No. 21912, and mistakenly believed all currently active cases were associated with said customer number when in fact the present application was not.

Additionally, the prior Attorneys of Record received said office action on September 13, 2004 (Attachment C - 1 pg.), but failed to forward same to the undersigned until by correspondence dated July 26, 2005 (Attachment D - 1 pg.).

Enclosures: Fee Payment

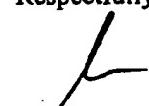
Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay.

Other:

Respectfully submitted,


Lee Van Pelt
Reg. No. 38,352

VAN PELT, YI & JAMES LLP
10050 N. Foothill Blvd., Suite 200
Cupertino, CA 95014
(408) 973-2585

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request:	2 Serial/Patent #			
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/> Filing				\$
<input type="checkbox"/> Amendment				\$
<input type="checkbox"/> Extension of Time				\$
<input type="checkbox"/> Notice of Appeal/Appeal				\$
<input checked="" type="checkbox"/> Petition	JFW	1124-05	\$ 1500	
<input type="checkbox"/> Issue				\$
<input type="checkbox"/> Cert of Correction/Terminal Disc.				\$
<input type="checkbox"/> Maintenance				\$
<input type="checkbox"/> Assignment				\$
<input type="checkbox"/> Other				\$
		7 TOTAL AMOUNT OF REFUND	\$ 1500	
8 TO BE REFUNDED BY:				
<input type="checkbox"/> 10 REASON:		Treasury Check		
<input type="checkbox"/> Overpayment	<input checked="" type="checkbox"/> Duplicate Payment	X Credit Deposit A/C #: , 50 -- 0685		
<input checked="" type="checkbox"/> X No Fee Due (Explanation): <i>No fee is due since granted petition to withdraw holding of record.</i>				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME:		Charles Steven Brattay		TITLE: Petitioner/Atty
SIGNATURE:				
OFFICE:		Petitions		
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****				
APPROVED:				
		DATE: 3/3/06		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B